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U.S. DISTRICT COURT
DISTRICT OF MASS.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,)
)
 Plaintiff, a corporation)
)
)
)
 vs.)
)
)
)
 Nadine J. Griffin,)
)
 Accused, Belligerent Claimant.)

CASE NO. 1:05-CR-10175-WGY

**VERIFIED MOVE FOR FAIR AND
IMPARTIAL HEARINGS BEFORE *QUI TAM*
ACTORS EMPLOYED BY THE UNITED
STATES PLAINTIFF TO PROCEED IN
COMPLIANCE WITH THE V, VI AND XIV
AMENDMENT TO THE FEDERAL
CONSTITUTION - VOTE OF NO
CONFIDENCE IN THE JUDICIARY -
NOR THE JUDICIAL PROCESS**

(No Oral Arguments)

Nadine J. Griffin, herein proceeds on her own behalf, as a Conscious, Thinking, Feeling, Living, Flesh and Blood Sentient Being and Not a "Ward of the Court" or person of unsound mind (hereinafter referred to as a "Belligerent Claimant") moves for fair and impartial hearings and/or trial due to extreme prejudice, partiality, financial nexus and favoritism imposed against her while protecting your employer, the United States Plaintiff. The obvious nexus and extreme prejudice of these *qui tam* Actors on behalf of the United States Plaintiff is comically clear — save the denial often espoused by Government *Actors* — contrary to intrinsic facts and evidence to the latter. Therefore, Nadine J. Griffin must proceed as a "Belligerent Claimant" of her Rights or waive those Rights *in toto*. The courts have held that one who is not willing to assert a Right or protection guaranteed by the Constitution to the point of belligerence, loses that right all

1 together. In light of this finding, Nadine J. Griffin, a Conscious, Thinking, Feeling, Living, Flesh
 2 and Blood Sentient Being and Not a "Ward of the Court" or person of unsound mind – moves
 3 this Court as a "Belligerent Claimant" of her Rights, for fair and impartial hearings and/or trial at
 4 All stages of these proceedings.

5 The privilege against self-incrimination is neither accorded to the
 6 passive resistant, nor the person who is ignorant of his rights, nor to
 7 one indifferent thereto. It is a fighting clause. Its benefits can be
 8 retained only by sustained combat. It cannot be claimed by attorney
 9 or solicitor. It is valid only when insisted upon by a belligerent
 10 Claimant in person. McAlister v. Henkel, 201 U.S. 90, 26 S.Ct. 385, 50
 11 L.Ed. 671; Commonwealth v. Shaw, 4 Cush. 594, 50 Am.Dec. 813; Orum
 v. State, 38 Ohio App. 171, 175 N.E. 876. The one who is persuaded by
 honeyed words or moral suasion to testify or produce documents
 rather than make a last ditch stand, simply loses the protection.
United States v. Johnson, 76 F. Supp. 538, February 26, 1947.

12 In light of the court's determination as stated in Johnson supra, such a finding must be
 13 applicable to all acts when proceeding before an overzealous Monster such as the United States
 14 Plaintiff and its appointed *qui tam* officials. Nadine J. Griffin has verifiable evidence that these
 15 *qui tam Actors*—including but not limited to—all officials, judges, attorneys, agents, and others
 16 associated herewith have expressly violated constitutional and substantive due process rights of
 17 the Belligerent Claimant. The Belligerent Claimant is with information and belief that judicial
 18 tyranny has become the cornerstone of all proceedings in actions brought against private Citizens
 19 on behalf of the often abusive and malicious *qui tam Actors* acting on behalf of your employer,
 20 the United States Plaintiff.

21 The United States Plaintiff has a documented history and reputation as the most
 22 powerful, influential and corrupt organized-crime syndicate in the world; controlling ALL
 23 PARTIES to its favor as relevant to its internal revenue laws, both administratively and
 24 judicially. The Belligerent Claimant's life is imperiled and she does not believe that fairness and
 25

1 impartiality will be exercised—as previous documented violations of due process are clearly
 2 evident in this case. This Court, an instrumentality of the United States Plaintiff, and its officials,
 3 employed by the same, must recognize the obvious prejudice that befalls the Belligerent
 4 Claimant. Inasmuch as the officials employed by the United States Plaintiff are presumed to act
 5 impartially and without a vested interest, the Belligerent Claimant reminds this Court of what
 6 Patrick Henry stated as follows:

7 ***“If we fail to check the power of the judiciary, I predict that we will***
 8 ***eventually live under judicial tyranny.” Patrick Henry.***

9 Saddened and imperiled with the reality that justice, in the purist form, fails to exist in
 10 these financially prejudiced, anti-common law, pro-statutory, victimless crime proceedings.
 11 Nadine J. Griffin, a Belligerent Claimant of her Rights as secured by birth and protected by the
 12 Constitution and forced to defend herself against these self-serving victimless statutory
 13 commercial crimes of belief – “thought crimes” – and seeks full access to your institutionalized
 14 and monopolized court systems – under duress and compulsion moving for a fair and impartial
 15 hearings in all stages of every proceeding, *nunc pro tunc*.
 16

17 I.

18 **Extreme Prejudice Befalls the Belligerent Claimant in This Forum and Compromises the**
 19 **Due Process Clause of the Fifth and Fourteenth Amendments and the Equal Protection**
 20 **Clause of the Fourteenth Amendment to the Constitution of the United States of America.**

21 1.1 The Belligerent Claimant, Nadine J. Griffin, believes that a man or woman (sentient flesh
 22 and blood beings) of average intelligence must be able to grasp the obvious conflicts of
 23 interest, institutionalized control and monopoly the United States Plaintiff and Federal
 24 employer of its *qui tam* Actors have in this and every unperfected, frivolous, fictitious,
 25 statutory victimless commercial crimes of belief – “thought crimes” – of your unproven
 allegations. The Belligerent Claimant believes that a conflict of interest and absolute bias

arises in every case brought by various *qui tam* Actors acting on behalf of the dead entity, void of conscience — United States Plaintiff, all of which are employees of same.

1.2 Therefore, the Belligerent Claimant must reflect upon what can easily be observed as what she believes to be constructive fraud, collusions, extortion and a conspiracy of silence between these *Actors*. The scheme is masterfully supported by non-licensed bar association members that hide behind the bar and controlled media.

1.3 The players have been strategically placed in positions of power and destruction, informed by senior authority to never question their duties, never to think for themselves regarding their elected or appointed position and proceeding with a do as you're told mentality. When looking at the ugly facts of the matter, ALL cards are stacked high against the Belligerent Claimant – the only non-member, non-actor, victim of this most diabolical and powerful syndicate in the world: laced with incomprehensible injustice.

1.4 The Belligerent Claimant is extremely prejudiced wherein she is forced to seek a judicial determination in what is clearly a “fox guarding the henhouse” forum and having the awareness that every ministerial and judicial Actor in this forum will summarily employ any means to protect his or her employment with their United States Plaintiff employer.

1.5 The following *Actors*, both administrative and judicial, maintain employment and receive pecuniary benefits and compensation from the United States Plaintiff's executive department, one of its instrumentalities or political subdivisions. The immediate Actors employed by the United States Plaintiff to support and promote this ponzy scheme - include but are not limited to:

- (a) Michael J. Harriman – Revenue Officer: United States employee
- (b) Jessica Crocker– Revenue Officer: United States employee
- (c) Lynne Walsh – Field Director: United States employee
- (d) Cheryl Sherwood Director, Collection Policy: United States employee
- (e) Christopher Maietta – United States Attorney: United States employee
- (f) Michael Boudin, United States Attorney: United States Federal employee
- (g) Joyce London Alexander, U.S. Magistrate Judge United State employee
- (h) William G. Young - District Judge: United States employee

1.6 The above named *Actors* have a direct financial interest and derive pecuniary benefits from the Executive payroll of the – United States Department of the Treasury funded by the labor blood and sweat equity of Human Capitol defined as [t]axpayers. Without question, pay-rolled *Actors* include, but not limited to, the following (1) the United States District Court employees - a United States political subdivision; (2) the United States Department of the Treasury- a United States executive department funded by the mainstream media manipulated Human Capitol [t]axpayers; (3) the United States Department of Justice- a United States executive department, routinely exercising injustice against Citizens who rely on the protection of the Constitution and favorable Supreme Court rulings regarding the internal revenue laws; (4) the United States Supreme Court - a United States political subdivision, steeped in a conspiracy of silence, assigning the “political issue doctrine,” and refusing to speak on certain issues regarding the internal revenue laws; (5) the United States Court of Appeals- a United States political subdivision; (6) the United States Congress - a United States political subdivision; and (7) the Internal Revenue Service - a United States political subdivision – not an agency, having an unprecedented nexus and vested financial interest in the equitable results of Nadine J. Griffin’s Labor Property and Rights to the same.

1.7 Judge William G. Young quoting *Lord Acton* in United States v. Green, (D.Mass. 2004), speaks to the very collusion for which Nadine J. Griffin has been made a subject quoting as follows;

“If you put all the powers to *prosecute, try, and execute a sentence* in one person's hands, that is the absolute antithesis of the checks and balances in the system of government that we have.” **Lord Acton**

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1 1.8 Belligerent Claimant provides information sufficient to establish — contrary to popular
2 belief — there is no “separation of power” when Conscious, Flesh and Blood Sentient
3 Beings (Human Capital), Nationals, Citizens, and citizens have been [c]harged by the
4 United States Plaintiff with a statutory victimless commercial crimes of belief, wherein
5 all *Actors* prosecuting, trying and executing the action are employed by the same
6 employer. Jurors are included, for Jurors are prohibited by the United States Plaintiff
7 employees from considering the Law of the case.

8
9 1.9 To make matters worse, the Belligerent Claimant must rely on the United Snakes codes,
10 rules, regulations, and United States statutes in attempting to get a remedy in this United
11 States Court. Belligerent Claimant demands that the protections and restrictions imposed
12 upon public servants by the Constitution for the United States of America be observed by
13 judicial officials who have taken an Oath to do nothing less — because judicial official
14 William G. Young — demanded the Belligerent Claimant not to mention the Constitution
15 in (his) courtroom. Is this the Planet of the Apes? Am I missing something? Am I living
16 the movie “1984” in 2006? Am I insane to believe that Justice continues to exist in lieu of
17 the strategic monopoly maintained by the United States Plaintiff and its employees
18 controlling all pieces on the board?

19 1.10 The Belligerent Claimant understands more clearly what George Orwell was attempting
20 to convey in his book and the movie “Nineteen Eighty-Four” where he stated, “*War is*
21 *Peace, Freedom is Slavery and Ignorance is Strength.*” The United States Plaintiff,
22 through its monopoly of *Actor* employees, is controlling all players in this game, has
23 amassed great strength and abusive power through the centuries of dumbing down the
24 “ignorant masses” of Citizenry by way of compulsory performance, using fear and
25

1 intimidation — unwittingly assisting in the perpetuation of this Trojan Horse to their own
2 demise. For these and other reasons the Belligerent Claimant must formally move for a
3 fair and impartial hearing if such can begin to be observed in this forum. The Belligerent
4 Claimant further demands that judicial officials in this Court look to the facts and the law
5 of this matter and employ the minimal standards of the “*appearance of fairness*” doctrine
6 in lieu of your obvious vested interest, nexus, bias, prejudices and favoritism on behalf of
7 your employer the United States Plaintiff.
8

9 II.

10 Judges Have A History of Acting In Contempt of the United States Supreme Court And Of The Law When Protecting the Status Quo

11 2.1 The Belligerent Claimant proceeding *on her own behalf* and by compulsion, is fully aware
12 of the extreme prejudice that exists amongst the judiciary regarding litigants proceeding
13 without re-presentation by a bar member “*attornor*” interrupting the routine fear-induced
14 “Let’s Make A Deal” plea bargain processing of incompetent [persons] as discussed in
15 Judge William G. Young’s review of *United States v. Green*, (D.Mass. 2004).

16 2.2 The Belligerent Claimant having no confidence in the United States Plaintiff’s judiciary
17 and politically induced controlled judicial system, is compelled through self-preservation
18 to formally demand that fairness, impartiality and respect for the Law be observed at all
19 stages of the proceedings when contracting with Nadine J. Griffin. Belligerent Claimant
20 believes that men are inherently evil – resulting in the destruction of the lives of innocent
21 men, women and children, maintaining Control of their secular agenda. Nadine J. Griffin
22 will not throw caution to the wind and does not wish to be a party to nor a victim of your
23 documented judicial prejudice, collusion and corruption within this Court.
24
25

1 "Judicial prejudice and/or corruption can violate a criminal
 2 defendant's constitutional right to a fair trial, and can be the basis for
 3 habeas relief." See e.g. Bracy v. Gramley, 520 U.S. 899, 117 S.Ct. 1793,
 4 1797 (1997), en banc appeal after remand, Bracy v. Schomig, 286 F.3d
 5 406, (7th Cir. Mar. 29, 2002). Judicial prejudice and corruption are
 6 rare events, so judges are presumed to be honest and impartial, and
 7 this presumption can only be rebutted with specific facts
 8 demonstrating judicial impropriety. See Bracy, 117 S.Ct. at 1799;
 9 Aleman v. Judges of Circuit Court of Cook County, 138 F.3d 302, 307 (7th
 10 Cir. 1998); cf. United States v. LeFevour, 798 F.2d 977, 984-85 (7th Cir.
 11 1986)

12 2.3 Unfortunately, the biggest threat to Nadine J. Griffin moving this Court *on her own*
 13 *behalf*, are not your private laws, statutes, regulations, or codes, but those judicial and
 14 ministerial officials whom have been given the duty to respect and uphold the law, taking
 15 an Oath to do no less.

16 "... the trial court must not undertake the role of either the prosecutor
 17 or the defense counsel" People v. Carlucci id. at 258. "In holding that the
 18 hearing satisfied due process, the court drew a distinction between a
 19 judge who elicits the parties' evidence neutrally and one who advocate
 20 a position." See State v. Avena, 281 N. J. Super. 327, 339, 657 A.2d 883
 21 (Ct. App. Div. 1995)

22 2.4 The Belligerent Claimant does not wish to be at peril considering the obvious financial
 23 nexus and career aspirations judicial officials in this and all courts have by way of your
 24 employment with the same government corporations and political subdivisions instituting
 25 this *qui tam* action against Nadine J. Griffin, your United States Plaintiff and Federal
 26 employer aka, United States of America.

27 "But to perform its high function in the best way 'justice must satisfy
 28 the appearance of justice.'" Offutt v. United States, 438 U.S. 11, 14 (75
 29 S. Ct. 11, 99 L. Ed. 11 (1954).

30 2.5 The Belligerent Claimant understands the limitations and boundaries established by
 31 Congress and the United States Supreme Court, as immunity does not exist for those judicial
 32 officials who step beyond those boundaries.

1 **"Where Judges presumes to exercise jurisdiction beyond understood**
 2 **boundaries . . . judge is not entitled to immunity. Dykes v. Housemann,**
 3 **743 F.2d 188 (11th Cir. 1984).**

4 2.6 The Belligerent Claimant reminded this Court of the old adage quoted in United States v.
 5 Benatta, (W.D.N.Y. 2003):

6 **" . . . however, under our Constitution, absent due process, the end**
 7 **cannot justify the means no matter how well or good intentioned the**
 8 **parties may be, for as the old adage teaches, 'the road to hell is paved**
 9 **with good intentions,' only to remind this Court that such a doctrine**
 10 **has bilateral applications."**

11 2.7 As intentionally inadequate, deceitful and incomprehensible the statutory language of the
 12 law, exists—with particularity the income tax laws—authors of such an infringing maze
 13 of collusion and disparity have historically proven to be no less guilty of such perversions
 14 and the courts have proven no less accommodating. Be that as it may, the Belligerent
 15 Claimant shall be vigilant in assuring that all Rights are observed *nunc pro tunc*, in this
 16 forum or in the next.

17 **"Every procedure which would offer a possible temptation to the**
 18 **average demand as a judge to forget the burden of proof required to**
 19 **convict the defendant, or which might lead to him not to hold the**
 20 **balance nice, clear and true between this state and the accused, denies**
 21 **the latter due process of law." Tumey v. Ohio 273 U.S. 510, 532 (47 S.**
 22 **Ct. 437, 71 L. Ed. 749 (1927) (Emphasis Added)**

23 2.8 The Belligerent Claimant recognizes fundamental and inherent power of the courts, but
 24 with that power comes a burdensome duty.

25 **"[1] We are of the opinion that it is fundamental that every court has**
 26 **certain inherent powers resulting from its organization, which are essential**
 27 **to its existence and the due administration of justice.**

28 It is certainly necessary to the due administration of justice that a
 29 defendant be tried by a fair and impartial tribunal.

30 **[2] We have expressly recognized that the administration of justice is**
 31 **dependent upon the impartiality, disinterestedness, and fairness on the part**

of the judge." quoting Fuller v. State, 100 Miss. 811, 57 So. 806, Ann. Cas. 1914A, 98, 39 L. R. A. (N.S.) 242; 14 Am. Jur. 372, Courts, § 171 In State ex rel. Barnard v. Board of Education, 19 Wn. 8, 17, 52 P. 317, 67 Am. St. 706, 40 L.R.A. 317, we said:

"The principle of impartiality, disinterestedness, and fairness on the part of the judge is as old as the history of courts; in fact, the administration of justice through the mediation of courts is based upon this principle. It is a fundamental idea, running through and pervading the whole system of judicature, and it is the popular acknowledgment of the inviolability of this principle which gives credit, or even toleration, to decrees of judicial tribunals. Actions of courts which disregard this safeguard to litigants would more appropriately be termed the administration of injustice, and their proceedings would be as shocking to our private sense of justice as they would be injurious to the public interest."

2.9 The Court in Yates v. Village of Hoffman Estates, Illinois, 209 F. Supp. 757 (N.D. Ill. 1962) held that:

"... not every action by a judge is in exercise of his judicial functions ... it is not a judicial function for a judge to commit an intentional tort even though the tort occurs in the courthouse."

2.10 When a judge acts in trespass of the law, when a judge does not follow the law, the judge loses subject-matter jurisdiction and the judge's orders are void, of no legal force or effect. The U.S. Supreme Court, in Scheuer v. Rhodes, 416 U.S. 232, 94 S.Ct.1683, 1687 (1974) stated:

"... when a state officer acts under a state law in a manner violative of the Federal constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him and immunity from responsibility to the supreme authority of the United States."

2.11 Under Federal law, which is applicable to all states, the U.S. Supreme Court stated that if a court acts:

"... without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They

1 constitute no justification; and all persons involved in executing such
 2 judgments or sentences, are considered in law trespassers." Elliot v.
Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828)

3 2.12 Belligerent Claimant is with information that this government's judiciary, liken to all, is
 4 intimately intertwined with its government judge, government persecutor and
 5 government's defense attorney, acting as the collective privileged elite, exercising
 6 powers liken to Judge David R. Hansen in the United States District Court, Northern
 7 District of Iowa (1990), creating a vacuum of protected and accepted prejudice that
 8 compromises the Belligerent Claimant's access to justice, against your employer, the
 United States Federal Corporation as defined at (28 U.S.C. § 3002 (15)(A).

9 "Although a party conniving with a judge to predetermine the
 10 outcome of a judicial proceeding may deal with him in his 'judicial
 11 capacity,' the other parties expectation of judicial impartiality is
 12 actively frustrated by the scheme. It is this antithesis of the 'principled
 13 and fearless decision-making' that judicial immunity exists to
 protect." Rankin v. Howard, 633 F.2d 84 (9th Cir. 1980) cert. Denied, 451
 U.S. 939, 101 S. Ct. 2020, (1981), Pierson v. Ray, 386 U.S. 547, 544, 87
 S.Ct. 1213 (1976), and Gregory v. Thompson, 500 F.2d 59 (9th Cir. 1974).

14 United States v. Elder, 309 F.3d 519 (9th Cir. 2002) "In contrast, when
 15 the courtroom prejudice is particularly egregious, it creates 'one of
 16 those cases where the prejudice could not be removed by curative
 17 instructions' United States v. Bland, 908 F.2d 471, 473 (9th Cir. 1990);
 18 see also Hickman, 592 F.2d at 936; Nazzaro, 472 F.2d at 312-13 ("[S]uch
 19 admonitions may offset [only] brief or minor departures from strict
 20 judicial impartiality.") (internal quotations omitted). As discussed above,
 21 the removal of defense counsel in handcuffs and the Judge's statements
 22 certainly impacted the jury's perception of Elder. Thus, the Judge's
 23 instructions to the jury could not and were not sufficient to cure the
 24 prejudice."

25 United States Ex Rel. Guest v. Page, (N.D.Ill. 2004) "The record reveals
 that the vast majority of evidence relating to Judge Pompey's corruption
 surfaced during the March 1993 trial and conviction of Judge Thomas
 Maloney. See United States v. Maloney, 71 F.3d 645 (7th Cir. 1995). Judge
 Maloney was one of many dishonest judges exposed and convicted
 through 'Operation Greylord,' a labyrinthine federal investigations of
 judicial corruption in Chicago. During Judge Maloney's trial, witnesses
 testified that Judge Pompey was one of the judges who frequently
 accepted bribes in criminal cases. Before this time, Guest had no real
 evidence of Judge Pompey's corrupt practice."

2.13 Nadine J. Griffin is presently a victim of, and is fully aware of, the countless number of injustices imposed against "We the People" who have mistakenly given public servants the authority to administer and uphold the Law, presumed to exercise fairness and impartiality. As Johnny Cochran quoting Martin Luther King, Jr. so eloquently espoused, "An injustice anywhere is a threat to justice everywhere," and such a threat has proven perilous against the Belligerent Claimant. Therefore, in the interest of justice from its literal meaning, the Belligerent Claimant demands that Judge William G. Young and any judicial official overseeing this matter take judicial notice, and observe and construe your Oath to uphold the Constitution and Canons strictly.

III.

Belligerent Claimant Demands That Fairness And Impartiality Be The Cornerstone of ALL Acts and Process In This Court

3.1 Belligerent Claimant herein relies on the Constitutional protections at Art. IV § 31, the Code of Judicial Conduct and Canons that further support the various violations that may become applicable to you in the event you violate the very statutes and canons for which you are bound.

3.2 The Belligerent Claimant moves that all judicial officials take official notice of following statutory sections supra, not limited to 28 U.S.C. §§ 591 – 599 and 601 – 613 of the Act:

28 U.S.C. § 455. Disqualification of justice, judge, or magistrate judge

(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

(b) He shall also disqualify himself in the following circumstances:

(1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

(2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such

association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

(3) Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;

(4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;

(5) He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:

(i) Is a party to the proceeding, or an official, director, or trustee of a party;

(ii) Is acting as a lawyer in the proceeding;

(iii) Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;

(iv) Is to the judge's knowledge likely to be a material witness in the proceeding.

(c) A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

(d) For the purposes of this section the following words or phrases shall have the meaning indicated:

(1) "proceeding" includes pretrial, trial, appellate review, or other stages of litigation;

(2) the degree of relationship is calculated according to the civil law system;

(3) "fiduciary" includes such relationships as executor, administrator, trustee, and guardian;

(4) "financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or other active participant in the affairs of a party, except that:

(i) Ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the judge participates in the management of the fund;

(ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization;

(iii) *The proprietary interest of a policyholder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest;*

(iv) *Ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.*

(e) No justice, judge, or magistrate judge shall accept from the parties to the proceeding a waiver of any ground for disqualification enumerated in subsection (b). Where the ground for disqualification arises only under subsection (a), waiver may be accepted provided it is preceded by a full disclosure on the record of the basis for disqualification.

(f) Notwithstanding the preceding provisions of this section, if any justice, judge, magistrate judge, or bankruptcy judge to whom a matter has been assigned would be disqualified, after substantial judicial time has been devoted to the matter, because of the appearance or discovery, after the matter was assigned to him or her, that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in a party (other than an interest that could be substantially affected by the outcome), disqualification is not required if the justice, judge, magistrate judge, bankruptcy judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

4.1 Constitution of the United States of America, Article III, Section 1. states:

"The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

4.2 The United States Supreme Court, understanding the abuses of office and power that has erupted in a system plagued with injustice eloquently espoused:

"Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously". [...Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example...] Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that, in the administration of the criminal law, the end justifies the means -- to declare that the Government may commit crimes in order to secure the conviction

1 of a private criminal – would bring terrible retribution. Against that
2 pernicious doctrine this Court should resolutely set its face. Olmstead v.
United States, 277 U.S. 438 (1928)

3 4.3 The Belligerent Claimant has referenced conditions precedent upon which a judicial
4 official may acquiesce his judicial immunity by violating the Rights of the people that he
5 has been hired to protect. The Belligerent Claimant holds the position that any judicial
6 official of this Court who threatens to deprive the Nadine J. Griffin of her Rights may
7 constitute a crime cognizable under 18 U.S.C. § 242 according the findings of fact and
8 conclusions of law and order of the United States Supreme Court in Imbler v. Pachtman,
9 424 U.S. 409, 430 (1976), as such actions constitute a willful deprivation of Nadine J.
10 Griffin's constitutionally guaranteed and protected Rights under the Due Process Clause
11 of the Fifth and Fourteen Amendments and the Equal Access to the Law under the
12 Fourteenth Amendment to the Constitution for the United States of America. You are
13 hereby Judicially Noticed to conduct yourselves accordingly, as the Belligerent Claimant
14 shall do no less the same.
15

16 **WHEREFORE;** the Belligerent Claimant Nadine J. Griffin, prays for relief as follows:


- 17 1. That this Court grant the Move for a fair, impartial, non-biased and non-
18 prejudicial hearing(s) and/or trial.
- 19 2. That in the interest of Justice in its literal meaning, this Court by way of its
20 judicial officials, adhere to the principles, integrity and philosophy upon which
21 the Constitution for the United States of America, Code of Judicial Conduct, the
22 Ethics in Government Act of 1978, judicial Canons and all other Acts not herein
23 referenced are premised.
- 24 3. That you recognize the Constitutional Oath of Office for which you have taken to
25 preserve and protect the rights of Nadine J. Griffin in this, and every case.

Respectfully Submitted,

VERIFICATION

I, Nadine J. Griffin, declare under penalty of perjury as a Conscious, Thinking, Feeling, Living, Breathing, Flesh and Blood Sentient Being and under the Laws of my Creator and the Constitution for the United States of America that the foregoing is true and correct not meant to mislead. All Rights retained without recourse.

This 7 day of ~~January~~ Feb 2006.


Nadine J. Griffin, Belligerent Claimant
c/o 13799 Park Blvd. North #244
Seminole, Florida [33776-3402]

CERTIFICATE OF SERVICE

I, Nadine J. Griffin, certify that on January ____, 2006, I deposited a true and correct copy of the foregoing move for fair and impartial hearing in the U.S. Mail, postage fully prepaid and addressed as follows:

Christopher Maietta
United States Attorney's Office
1 Courthouse Way
Suite 9200
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On this 7 day of January, 2006.
February


Nadine J. Griffin, Belligerent Claimant